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Attorneys for Plaintiff

\*\*E-filed 1/17/07\*\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
SERGIO ENRIQUE FERREY-GOMEZ, )  
 )  
Defendant. )

No. CR 05-00722-JF

STIPULATION AND ORDER  
RESCHEDULING SUPPRESSION  
HEARING AND EXCLUDING TIME

IT IS HEREBY STIPULATED by the undersigned that the hearing on the defendant's motion to suppress evidence in this case, currently scheduled for Friday, January 12, 2007 at 1:30 p.m., be vacated at the request of the court and rescheduled for Friday, February 9, 2007 at 1:30 p.m. The parties further stipulate that the court may exclude the period of time from January 12, 2007 through and including February 9, 2007 from the computation of the period of time within which the trial must commence for the reasons set forth in the proposed order below.

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It is so stipulated.

Dated: 1/11/07

/S/  
JOHN N. GLANG  
Assistant U.S. Attorney

Dated: 1/11/07

/S/  
MATTHEW A. SIROKA  
Attorney for Sergio Enrique Ferrey-Gomez

**ORDER**

Based upon the stipulation of the parties, it is hereby ordered that the hearing on the defendant's motion to suppress evidence in this case, previously scheduled for January 12, 2007 at 1:30 p.m., be vacated and rescheduled for Friday, February 9, 2007 at 1:30 p.m.

Pursuant to Title 18, United States Code, Section 3161(h), the court excludes the period of time from January 12, 2007 through and including February 9, 2007 from the computation of the period of time within which the trial must commence. The court FINDS that the ends of justice served by the delay outweigh the best interest of the public and the defendant in a speedy trial. The court bases this finding on the "delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing on, or other prompt disposition of, such motion", within the meaning of 18 U.S.C. Section 3161(h)(1)(F).

It is so ordered:

Dated: 1/17/07

  
JEREMY FOGEL  
United States District Judge